

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Moose Lottery and Moose Management'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §11109-A, sub-§1, as enacted by PL 2005, c. 477, §4, is amended to read:

1. Moose lottery chances. A super pack license includes, upon application, ~~6 chances~~one chance in the moose lottery under section 11154, subsection 6.

Sec. 2. 12 MRSA §11154, sub-§5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

5. Eligibility. Except as provided in this subsection, a resident, nonresident or alien who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. ~~A person who has obtained a moose hunting permit is ineligible to obtain another permit until 2 years have elapsed after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7.~~

Sec. 3. 12 MRSA §11154, sub-§6, as amended by PL 2009, c. 186, §4, is further amended to read:

6. Application procedure. An eligible person wishing to apply for a permit must file a written application for a permit on a form furnished by the commissioner. The application fee is nonrefundable. A person may file no more than one application. A person who submits more than one application is disqualified from the selection of permittees. The application must be accompanied by an application fee of:

A. For a resident:

(1) ~~Seven~~Fifteen dollars for a one-chance application; ~~or~~

(2) ~~Twelve dollars for a 3-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 3-chance application; and~~

(3) ~~Twenty-two dollars for a 6-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 6-chance application; or~~

B. For a nonresident:

- (1) Fifteen dollars for a one-chance application;
- (2) Twenty-five dollars for a 3-chance application;
- (3) Thirty-five dollars for a 6-chance application; and
- (4) Fifty-five dollars for a 10-chance application; multiple 10-chance options may be purchased.

A clerk or agent appointed by the commissioner under section 10801 may process an application under this subsection. The clerk or agent shall charge a fee of \$2 for each application under this subsection processed by that clerk or agent.

The commissioner shall allow an applicant to indicate that that applicant does not want to receive a moose permit pursuant to the application but wishes to receive the corresponding points under subsection 8 for that application.

Sec. 4. 12 MRSA §11154, sub-§7, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

7. Subpermittees. An applicant for a moose permit may indicate on the application filed pursuant to subsection 6 the name of a subpermittee-designate and the name of an alternate subpermittee-designate. If the applicant is issued a moose permit under subsection 9 and upon application to the commissioner, the permittee may change that person's subpermittee-designate or alternate subpermittee-designate until 30 days prior to the start of the moose hunting season for which the permit was issued. Thirty days prior to the start of the applicable moose hunting season, the subpermittee-designate becomes a subpermittee and the permittee may authorize the subpermittee to participate in the moose hunt with the permittee. The permittee may authorize the alternate subpermittee-designate to participate in the hunt in place of the subpermittee-designate if the permittee notifies the department of the authorization at least 5 business days prior to the first day of the moose season, in which case the alternate subpermittee-designate becomes the subpermittee. The permittee may choose not to authorize a subpermittee to participate in the hunt.

A. A person may not sell a subpermittee or an alternate subpermittee designation.

B. A person who violates paragraph A commits a Class E crime.

Sec. 5. 12 MRSA §11154, sub-§8, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed and the following enacted in its place:

8. Point system for public chance drawing. A person accumulates points as follows for each consecutive year that person purchases an application for a moose hunting permit but is not selected to receive a permit:

A. One point each year for the first 5 years;

B. Two points each year for years 6 to 10; and

C. Three points each year after the 10th year.

Each point entitles an applicant to one chance in the public chance drawing. A person's accumulated points are eliminated and that person begins to accumulate points anew if that person fails to purchase a new chance in any 2 consecutive years.

Sec. 6. 12 MRSA §11154, sub-§11, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. A person who applies for a moose hunting permit under this subsection is subject to the eligibility provisions of subsection 5; ~~except that a successful applicant is not required to wait 2 years in order to obtain another permit.~~

SUMMARY

This amendment is the minority report and replaces the bill. It does the following:

1. It limits the number of chances a resident may purchase for the moose hunting permit lottery to one and reduces the number of moose hunting permit lottery chances contained in a super pack license from 6 to one;
2. It modifies the point system for the moose hunting permit lottery to improve a person's chances in the lottery the longer that person has stayed in the lottery and has not received a moose hunting permit;
3. It removes the 2-year wait period for a person who received a moose hunting permit;
4. It allows a person to indicate on the moose hunting permit application that that person does not want to receive a moose permit for that year but wants to continue to accrue chances in the moose hunting permit lottery;
5. It allows an applicant for a moose hunting permit to change that person's subpermittee or alternate subpermittee after the applicant has received a moose hunting permit. Current law requires an applicant for a moose hunting permit to designate that person's subpermittee and alternate subpermittee at the time of the application; and
6. It prohibits the sale of the moose hunting permit subpermittee or alternate subpermittee designation and makes a violation of that prohibition a Class E crime.